



PATENT
Attorney Docket No. 101.0112-01000
Customer No. 22882

IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:
Gary K. Michelson, M.D.) Confirmation No.: 6717
Serial No.: 10/809,242)
Filed: March 25, 2004) Group Art Unit: 3732
For: INSTRUMENTATION FOR USE WITH)
DYNAMIC SINGLE-LOCK ANTERIOR)
CERVICAL PLATE SYSTEM HAVING)
NON-DETACHABLY FASTENED AND)
MOVEABLE SEGMENTS)

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING VIA FIRST CLASS MAIL

Date of Deposit: September 16, 2004

I hereby certify that:

1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b)
2. Form PTO-1449
3. Self-addressed return postcard receipt

are being deposited with the United States Postal Service to Addressee with sufficient postage as first class mail under 37 C.F.R. § 1.8 on the date indicated above and are addressed to:

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: September 16, 2004



Sandra L. Blackmon

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030



PATENT
Attorney Docket No. 101.0112-01000
Customer No. 22882
Express Mail Label No. ED149927685US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Gary K. Michelson, M.D.) Confirmation No.: 6717
Serial No.: 10/809,242)
Filed: March 25, 2004) Group Art Unit: 3732
For: INSTRUMENTATION FOR USE WITH)
DYNAMIC SINGLE-LOCK ANTERIOR)
CERVICAL PLATE SYSTEM HAVING)
NON-DETACHABLY FASTENED AND)
MOVEABLE SEGMENTS)

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claim in the application and applicant determines that the cited document does not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

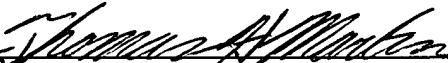
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1066.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: September 16, 2004

By: 

Thomas H. Martin
Registration No. 34,383

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030

Substitute for FORM PTO-1449		<i>SEP 20 2004</i>	Attorney Docket Number 101.0112-01000	Customer No. 22882		
INFORMATION DISCLOSURE CITATION IN AN APPLICATION		Applicant Gary K. Michelson, M.D.		Application Number 10/809,242		
(Use several sheets if necessary) Sheet <u>1</u> of <u>1</u>		Filing Date March 25, 2004		Group Art Unit 3732	Examiner (P. Philogene)	
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,034,418	7/1991	Yamagishi et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
EXAMINER		DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.						